

REMARKS:

Claims 1-15 are pending in the application.

Claims 1-5 are allowed.

Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Theeuwes et al. (U.S. 4,088,864) in view of Tian (U.S. 6,756,564).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Geerke et al. (U.S. 6,452,133) in view of Theeuwes et al. (U.S. 4,088,864).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Geerke et al. (U.S. 6,452,133) in view of Theeuwes et al. (U.S. 4,088,864) and McStravick et al. (U.S. 6,785,414).

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geerke et al. (U.S. 6,452,133) in view of Theeuwes et al. (U.S. 4,088,864) and McStravick et al. (U.S. 6,785,414) and Mitchell (U.S. 5,085,510).

Claims 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Geerke et al. (U.S. 6,452,133) in view of Theeuwes et al. (U.S. 4,088,864) and Mitchell (U.S. 5,085,510).

Claims 11-15 have been cancelled in the amendment herein to facilitate prosecution of the application and without prejudice to Applicants' right to file a continuing application for the canceled subject matter.

Rejection

Claims 6-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Theeuwes et al. (U.S. 4,088,864) in view of Tian (U.S. 6,756,564).

Claim 6 is an independent claim, and claims 7-10 depend directly or indirectly therefrom. Theeuwes et al. (U.S. 4,088,864) was cited in the rejection as disclosing elements of the invention that are found in claim 6 (a), (b) and (c). The Office communication goes on to state that Theeuwes et al. does not have a dosage (sic) [debris] removal assembly.

Tian (U.S. 6,756,564) was cited as teaching elements of the invention found in claims 6(d) and 7-10, i.e. a dosage removal assembly comprising an enclosure, a sweep-gas inlet, an exhaust gas outlet, a stationary debris head and a vacuum source.

Submitted herewith is a Rule 131 Declaration by David D. Newbold, a co-inventor in the present application, that the date of completion of the invention of present claims 6-10, i.e., a laser drill including a dosage removal assembly comprising an enclosure, a sweep-gas inlet, an exhaust gas outlet, a stationary debris head and a vacuum source

was prior to December 31, 2001, the effective date of Tian. A portion of the manual for the laser drill showing the elements that Tian was cited as teaching is enclosed as

Exhibit A to the Declaration. While the pages of Exhibit A are not dated, the declarant co-inventor Newbold states in paragraph 3 of the Declaration that the laser drill and this portion of the manual [Exhibit A] were prepared prior to December 31, 2001.

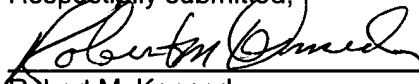
It is believed that the Declaration submitted herewith disposes of Tian and obviates the rejection under 35 U.S.C. 103(a) over Theeuwes et al. (U.S. 4,088,864) in view of Tian (U.S. 6,756,564).

It is therefore respectfully requested that the rejection of claims 6-10 be withdrawn and claims 1-10 be passed to issue.

Date: _____

4/14/05

Respectfully submitted,



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